

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

FEB 24 2023

LAURA A. JUSTIN, CLERK

BY: A. Meade
DEPUTY CLERK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

70 Southland Drive
Martinsville, Virginia

Case No. 1:23mj33

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the Western District of Virginia (identify the person or describe property to be searched and give its location): 70 Southland Drive, Martinsville, Virginia - to include the residence, curtilage, garages, outbuildings, campers, person of Octavius Johnson if present, and vehicles owned by/registered to/utilized by/or otherwise under the control of or accessible by Octavius Johnson, Attachment A consists of a photograph of the residence.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of 21 U.S.C. § 846/841(a)(1), and the application is based on these facts: See Attachment C and/or § 841(a)(1)

- ☒ Continued on the attached sheet.
☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Brian Snedeker
Applicant's signature

Brian Snedeker, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 2/24/23

Pamela Meade Sargent
Judge's signature

City and state: Abingdon, Virginia

Pamela Meade Sargent, USMJ
Printed name and title

ATTACHMENT A



70 Southland Drive, Martinsville, Virginia
(Residence on left, outbuilding on right)

ATTACHMENT B

1. Methamphetamine distribution paraphernalia including (but not limited to) scales, cutting material, plastic baggies, wrapping material; devices used to communicate with other drug traffickers/co-conspirators including cellular telephones; electronic equipment used for counter-surveillance to include video surveillance systems and related DVRs (digital video recorders), scanners, and anti-bugging devices.
2. Books, records, ledgers, notes, and videos pertaining to the illicit distribution, purchasing, and transporting of methamphetamine.
3. Messages, letters, telephone numbers, and addresses relating to customers, suppliers, and other co-conspirators involved with the illicit distribution, purchasing, and transporting of methamphetamine. These messages, letters, telephone numbers, and addresses may be written on personal calendars, personal address and /or telephone books, notebooks, loose pieces of paper, and found in mail.
4. Photographs and videos depicting methamphetamine, drug distribution paraphernalia, substantial assets, co-conspirators, and persons with methamphetamine,
5. Books, ledgers, receipts, bank statements, cashier's checks, and other items evidencing the acquisition, secreting, transferring and/or concealment of assets or the expenditure of narcotics proceeds.
6. Items or articles of personal property tending to show ownership, dominion, or control of the premises/property/vehicles. Such items or articles include (but are not limited to) personal identification, personal correspondence, diaries, checkbooks, notes, photographs, keys, receipts, mail, personal telephone and address books, videos, and motor vehicle related documents (titles/registrations).
7. Large amounts of currency (exceeding \$1000.00) or readily transported assets which are used as cash equivalents (cashier's checks, prepaid money/credit cards, money orders, etc.)
8. Items listed in Paragraphs 2 through 6 may be stored in digital media. Therefore, digital media (including but not limited to computers/computer hard drives, digital video recorders (DVRs), floppy disks, CD's, flash/jump drives, personal digital assistants (PDA's), cellular telephones/smartphones, digital cameras, iPODs, iPADs, etc.) are to be seized and examined for the items listed in Paragraphs 2 through 6.

ATTACHMENT C

AFFIDAVIT of
Special Agent Brian Snedeker
Drug Enforcement Administration
Bristol, Virginia

1. I, Special Agent Brian Snedeker, being duly sworn hereby depose and say:
2. The purpose of this application and affidavit is to secure a search warrant for methamphetamine distribution/conspiracy related documentary evidence and equipment/supplies on the premises known as 70 Southland Drive, Martinsville Virginia. This affiant, after obtaining and reviewing information, believes there is evidence of distribution of methamphetamine and/or conspiracy to distribute methamphetamine at 70 Southland Drive, Martinsville, Virginia in violation of 21 U.S.C. § 841(a)(1) and § 846/841(a)(1).
3. I am a Special Agent with the Drug Enforcement Administration (DEA) and have been so employed for approximately (32) years. During my employment I have received comprehensive classroom training from the DEA in specialized narcotic investigative matters including but not limited to drug interdiction, drug detection, money laundering techniques and schemes, smuggling, and the investigation of individuals and organizations involving the smuggling, cultivation, manufacturing, and illicit trafficking of controlled substances and controlled substance precursors. I have participated in the investigations and subsequent arrests of hundreds of individuals involved with the trafficking of methamphetamine (a Schedule II controlled substance). I have also executed hundreds of search warrants related to the trafficking and manufacturing of methamphetamine.
4. The facts set forth in this affidavit are known to me as a result of my participation in the investigation of OCTAVIUS JOHNSON, my training and experience, and information provided to me by other law enforcement officers and an employee of the Guilford County (North Carolina) District Attorney's Office. Any reference to the gender of any unnamed person within this affidavit does not necessarily reflect the true gender of said person.
5. During January 2023, an investigation into the narcotics trafficking activities of an individual (hereafter referred to as "Trafficker A) residing within the Western District of Virginia resulted in the seizure of a variety of controlled substances including cocaine, marijuana, and multiple ounces of methamphetamine from Trafficker A within the Western District of Virginia. Trafficker A subsequently agreed to speak with law enforcement and provided the following information:
 - Trafficker A has been obtaining cocaine and marijuana from OCTAVIUS JOHNSON for approximately (6) months. During the last couple of months, Trafficker A has also been obtaining (¼) pound to (1) pound quantities of methamphetamine from OCTAVIUS JOHNSON on a regular basis. OCTAVIUS JOHNSON currently owes Trafficker A for 8 ounces of methamphetamine for which Trafficker A has already paid.

- OCTAVIUS JOHNSON charges Trafficker A \$3500 for each pound of methamphetamine, \$1000 for each ounce of cocaine, and \$1100 - \$1500 for each pound of marijuana.
 - OCTAVIUS JOHNSON is an armed drug trafficker who carries a semi-automatic handgun with an attached flashlight.
 - OCTAVIUS JOHNSON personally delivers the methamphetamine, cocaine, and marijuana to Trafficker A within the Western District of Virginia.
 - The drug transactions between OCTAVIUS JOHNSON and Trafficker A are coordinated by cellular telephone communication in the form of voice calls, text messages, and Facebook Messenger messages.
 - On the days of actual drug transactions/deliveries, OCTAVIUS JOHNSON usually informs Trafficker A (via cellular telephone call/text etc.) when he is approaching Trafficker A's location (at or in the vicinity of Trafficker A's residence). OCTAVIUS JOHNSON resides in Martinsville, Virginia [OCTAVIUS JOHNSON's known residence is located in Martinsville, Virginia, more than two hours away from Trafficker A's residence].
 - OCTAVIUS JOHNSON's vehicles include a black/dark colored Dodge Challenger and a white Toyota Camry. OCTAVIUS JOHNSON has used the white Toyota Camry on multiple occasions to deliver drugs to Trafficker A [Virginia Department of Motor Vehicles (VADMV) records reflect that OCTAVIUS JOHNSON (who the VADMV identifies as "Octavia Myron Johnson" along with OCTAVIUS JOHNSON's date of birth and physical descriptors) is the current registered owner of a gray Dodge Challenger and a white, 2016, Nissan Altima with VIN 1N4AL3AP1GC259765. This affiant believes that Trafficker A misidentified the make and model of OCTAVIUS JOHNSON's white car].
 - 540-488-4887 (hereafter referred to as "Cell Phone 1") is OCTAVIUS JOHNSON's cellular phone/number by which Trafficker A communicates with OCTAVIUS JOHNSON in order to coordinate the aforementioned drug transactions/deliveries.
6. Trafficker A subsequently permitted law enforcement to examine Trafficker A's cellular telephone in Trafficker A's presence. The examination revealed the following text/chat communications between Trafficker A and OCTAVIUS JOHNSON (who Trafficker A identified as being "TA" in Trafficker A's cellular telephone contact list with Cell Phone 1 listed as the phone number for "TA"). Chat/text communication conversations between Trafficker A and OCTAVIUS JOHNSON ("TA") observed in Trafficker A's cellular phone included the following (no changes have been made to spelling, capitalization, etc.):

January 18, 2023

2:35pm - OCTAVIUS JOHNSON: Call when u can

7:34pm - OCTAVIUS JOHNSON: Headed your way
Prolly be er round 10

Trafficker A: Ok np...That works

When you pull down just pull straight towards the house kill your lights maybe just where the gold pick up is so my dogs don't go crazy anyways drive safe I'll talk to you soon

9:21pm - Trafficker A: About to ask you you bringing another 8 singles right since I only have three and a half here tell me you didn't forget that part lol

[Trafficker A explained that his above message was asking OCTAVIUS JOHNSON if OCTAVIUS JOHNSON was also bringing (8) ounces of methamphetamine owed to Trafficker A and that Trafficker A only had (3½) ounces of methamphetamine left.]

10:25pm - OCATVIUS JOHNSON: Here

[Trafficker A explained that the above message was OCATVIUS JOHNSON letting Trafficker A know that he had arrived at/in the immediate vicinity of Trafficker A's residence with the drug delivery.]

January 24, 2023

10:17am - OCATVIUS JOHNSON: The new ladies are extreme

Trafficker A: Let me kick a few ladies out before I can make room was wondering how the weather is out there it's fucking cold as shit here

OCTAVIUS JOHNSON: Aite

[Trafficker A explained that the above exchange involved OCTAVIUS JOHNSON advising Trafficker A that OCTAVIUS JOHNSON had some good quality cocaine available and that "ladies" is code for cocaine. Trafficker A was telling OCTAVIUS JOHNSON that Trafficker A would have to sell some cocaine already in her possession before she would be ready for more cocaine.]

January 25, 2023

7:44pm - OCTAVIUS JOHNSON: Getting low on my end

Trafficker A: Oh gosh how low we talking here please tell me you got me something on reserve..We are talking about the high test right

OCTAVIUS JOHNSON: Yea

Trafficker A: All right can you reserve me some please at least if

you can hold me a p. You want me to give you a call

OCTAVIUS JOHNSON: Aite

[Trafficker A explained that the above exchange involved OCTAVIUS JOHNSON advising Trafficker A that OCTAVIUS JOHNSON was running low on methamphetamine ("high test" is OCTAVIUS JOHNSON's and Trafficker A's slang term for methamphetamine). Trafficker A then asks OCTAVIUS JOHNSON to please keep a pound ("a p") for Trafficker A, to which OCTAVIUS JOHNSON replies that he will ("Aite" = okay).]

7. During a February 6, 2023, law enforcement interview/meeting with Trafficker A, Trafficker A advised law enforcement that she has been in telephonic contact (via call/text/chat and Cell Phone 1) with OCTAVIUS JOHNSON on multiple occasions since late January 2023, and OCTAVIUS JOHNSON has expressed his readiness and ability to continue to selling controlled substances to Trafficker A. During the course of one of the telephone calls between OCTAVIUS JOHNSON and Trafficker A, OCTAVIUS JOHNSON advised Trafficker A that he had access to or was in possession of (10) pounds of methamphetamine.
8. A review of recent Cell Phone 1 records (providing data from December 25, 2022 through January 24, 2023) revealed at least (30) cell phone to cell phone contacts (texts/calls) between Cell Phone 1 and Trafficker A's cellular phone from January 1, 2023 through January 24, 2023. The records also revealed "BEE GEE" (believed by this affiant to be a fictitious name) as the customer name linked to Cell Phone 1 with a customer address in Axton, Virginia. This affiant subsequently contacted the Guilford County (North Carolina) District Attorney's Office and was advised by an employee of the District Attorney's Office that two 2015 criminal cases in which OCTAVIUS JOHNSON was the defendant had the same aforementioned address in Axton, Virginia listed as an address/residence for OCTAVIUS JOHNSON. The residence at the aforementioned Axton, Virginia address is a single family dwelling. A review by this affiant of the Thompson-Reuters CLEAR database (a database that collects personal information on individuals from the credit bureaus, departments of motor vehicles, state hunting/fishing licensing agencies, criminal history database(s), and other sources) revealed OCTAVIUS JOHNSON's connection to that address through the credit bureaus, "bank account header records", and criminal and court records. This affiant believes that OCTAVIUS JOHNSON has a relative (a female with the last name "Johnson" has credit bureau hits/connections to this address from November 2004 through December 2022) or associate who continues to reside at said address and OCTAVIUS JOHNSON is continuing to use the address as a mail drop (a location where OCTAVIUS JOHNSON does not reside, but where he has mail delivered). Axton, Virginia is located approximately (9) miles from Martinsville, Virginia, the town in which OCTAVIUS JOHNSON is known to currently reside.
9. On February 23, 2023, Trafficker A advised law enforcement that she had been in communication with OCTAVIUS JOHNSON on this date and OCTAVIUS JOHNSON let Trafficker A know that he was in a position/prepared to sell/deliver

drugs to Trafficker A on February 24, 2023.

10. A review of OCTAVIUS JOHNSON's criminal history revealed (the following is not all inclusive and relates only to drug and firearm related offenses) his 2004 arrest for felony possession of cocaine (charge dismissed) and misdemeanor possession of up to (1/2) ounce of marijuana (charge dismissed), 2005 felony conviction for possession of a controlled substance, 2005 arrest for possession of a firearm and a controlled substance (both charges nolle prossed), 2006 felony conviction for possession of cocaine, 2016 felony convictions for two counts of distributing a Schedule I or II controlled substance, and his 2021 felony arrest for being a felon in possession of a firearm (charge dismissed) and felony conviction for possession with intent to sell and/or distribute marijuana.
11. This affiant is aware based on his training, experience, and conversations with other law enforcement officers that individuals who distribute and/or conspire to distribute methamphetamine typically maintain methamphetamine, methamphetamine distribution paraphernalia (small, plastic, Ziploc-type baggies, digital scales, etc.), notes, records, messages, and telephone numbers (pertaining to methamphetamine trafficking related contacts/co-conspirators/customers), and other items as listed and explained on Attachment B (of the Application and Affidavit for Search Warrant to which this affidavit is attached) at their residences (to include the residence/home itself as well as related garages, outbuildings, campers, and curtilage), on their persons, and inside of their vehicles and/or vehicles they operate and/or vehicles over which they have control when those vehicles are parked at the trafficker's/conspirator's residence. As to distribution paraphernalia, notes, records, and the like, this affiant is aware based upon his training, experience, and conversations with other law enforcement officers, that methamphetamine traffickers/co-conspirators often maintain such materials/items at the aforementioned locations for extended periods of time (days, weeks, and months).
12. Additional federal search warrants specifically for OCTAVIUS JOHNSON's person and vehicle have already been obtained. It is the intention of law enforcement [for reasons of officer safety and preservation of evidence] to execute the search warrant upon OCTAVIUS JOHNSON's person (or vehicle and person should he be found to be an occupant in said vehicle) away from his residence immediately prior to executing the search warrant upon the residence itself. As there is no known and predictable travel pattern for OCTAVIUS JOHNSON, it is unknown as to what hour of the day or night law enforcement will encounter OCTAVIUS JOHNSON within the Western District of Virginia for the purpose of executing the federal search warrant upon his person (or his person and vehicle should he be present in said vehicle).
13. OCTAVIUS JOHNSON's known residence is 70 Southland Drive, Martinsville, Virginia (confirmed by law enforcement in Henry County, Virginia).
14. Based upon the facts set forth above, I believe there is probable cause for the issuance of a search warrant for the premises known as 70 Southland Drive, Martinsville, Virginia (located within Henry County, Virginia, and within the

Western District of Virginia) as there is probable cause to believe that there is evidence of a violation of 21 U.S.C. § 841(a)(1) and § 846/841(a)(1) at said premises. Furthermore, I submit that Paragraph 12 above presents good/reasonable cause as to why the requested search warrant should be authorized for execution during any time of day or night.



Brian Snedeker, Special Agent (DEA)

Subscribed and sworn to before me, this the 24th day of February, 2023, in Abingdon, Virginia.



Pamela Meade Sargent
United States Magistrate Judge
Western District of Virginia

Reviewed by:

s/Suzanne Kerney-Quillen
Assistant United States Attorney

02-24-2023
Date